

O'MARA
LAW FIRM, PC

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September 10, 2012

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OFFICE OF
COUNSEL

U.S. MAIL
(CERTIFIED MAIL)

Federal Election Commission
Office of General Counsel
Attn: Mr. Jeff S. Jordan, Esq.
999 E. Street, N.W.
Washington D.C. 20463

Re: **Washoe County Republican Party**
FEC Committee ID #C00523886, MUR # 6630

Dear Mr. Jordan,

Please note that the O'Mara Law Firm, P.C., has been retained to assist the Washoe County Republican Party ("WCRP") in responding to the complaint received by the Federal Election Commission claiming that the Washoe County Republican Party and, more specifically, the treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). The Washoe County Republican Party received on August 27, 2012, a Matter Under Review dated August 23, 2012.

The WCRP is organized under Chapter 293 of the Nevada Revised Statutes and is governed by its own separate Bylaws as determined by the Washoe County Republican Central Committee ("WCRCC"). Pursuant to the Bylaws, the executive board of the WCRP is responsible for raising and expending funds to "accomplish the objectives of the WCRCC." The WCRP raises and expends such funds at its sole discretion without input, direction or suggestion from the state party ("NRCC"). Indeed, the NRCC has no jurisdiction or control over any activity conducted by the WCRP in order to promote the sound, honest, conservative government that upholds the constitutions of the United States of America and the State of Nevada.

Therefore, the WCRP disputes the allegations made against the WCRP and continue to maintain our belief that we are not considered affiliated with the Nevada Republican State Central Committee (NRSCC) pursuant to the applicable code sections. In review of the regulations as set forth by the Federal Election Commission, we

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believe the Washoe County Republican Party has met the criteria under 110.3(b)(3).

First, pursuant to 110.3(b)(3)(i), a political committee of the party unit in question cannot received funds from any other political committee established, financed, maintained or controlled by any party unit.

The WCRP satisfies this first requirement. At all relevant times, the WCRP was not operating under the direction of the Nevada Republican State Central Committee (NRSCC). Indeed, as stated above, the WCRP operates under the direction of the WCRCC Bylaws. Additionally, the WCRP does not take directions from the Nevada Republican State Central Committee. While the chairman of the WCRP is a member of the executive board of the NRCC, such a position is given by virtue of the bylaws of the NRCC. The WCRP and NRCC operate separately under each entities own elected Board of Officers.

Second, pursuant to 110.3(b)(3)(ii) a political committee of the party unit in question cannot make its contributions in cooperation, consultation or concert with, or at the request or suggestion of any other party unit or political committee established, financed, maintained or controlled by another party unit.

Again, the WCRP satisfies this second requirement. The WCRP does not consult with the NRSCC in any way, nor does the NRSCC have any jurisdiction over or how the WCRP expends their funds. Indeed, the WCRP raises "funds to accomplish the objectives of the Washoe County Republican Central Committee." (emphasis added).

Third, the allegation that the WCRP has received funding is incorrect. The funds shown in the WCRP state reports consist of funds received from the NRSCC, which was specifically allocated to the WCRP. Indeed, the funds represent a portion of the NRSCC's "United Republican Fund" where the NRSCC's ongoing donation solicitations allowed the donors (by choice) to allocate 10% of their contribution to other Republican organizations or county parties.

In this case, the referenced amounts are \$398.60 in November of 2010 and \$150 in April of 2011. Additionally, these small

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amounts, **which are not funds from the NRSCC**, would not represent, in any case, being maintained or financed by the NRSCC.

Fourth, upon review of the WCRP state reports and the state and federal reports filed by the NRSCC, it is clear that both committees receive and expend their funds based on the specific fundraising abilities and disbursement needs of each committee. We would additionally reference AO 1978-9. The WCRP was not established nor is it controlled by the NRSCC. As stated above, each entity elects and is governed by its own Board of Directors

Fifth, the objectives of the WCRP are, among other things, to [p]rovide leadership and manage the affairs of the Republican Party in Washoe County and to elect Republican candidates at all level of government." While the WCRP is not affiliated with the NRSCC as defined in FEC regulations, the WCRP still considers itself as a part of and committed to assist in the overall Republican efforts by other Republican organizations, including but not limited to the Nevada Republican Party, the National Republican Senatorial Committee, National Republican Congressional Committee, the Republican National Committee and all other state Republican parties.

Sixth, as stated above, a WCRP representative, which is normally the WCRP chairman, sits on the NRSCC Executive Board as allowed by the NRSCC bylaws. The chairman is one out of twelve people on the executive board. The NRSCC is made up of 360+ members, of which 52 are from Washoe County. This does not establish any control over either entity based on the information provided in the complaint. In fact, as stated numerous times, the individual parties, WCRP and NRP operate solely under the direction of their separate boards.

Finally, the Washoe County Republican Party is a separate, unaffiliated political party from the Nevada Republican State Central Committee pursuant to the relevant federal codes. Accordingly, the WCRP request that the Commission dismiss this complaint and take no further action against either the Washoe County Republican Party or the Nevada Republican State Central Committee.

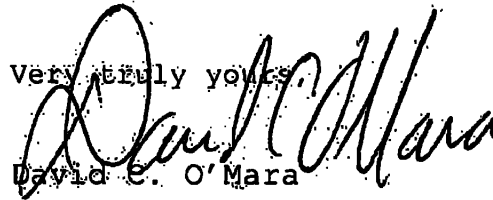
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Thank you for your cooperation on this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,



David E. O'Mara

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Client

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999 E Street, NW
Washington, DC 20463

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COMMISSION

2012 SEP 26 PM 1:00

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STATEMENT OF DESIGNATION OF COUNSEL
Please use one form for each Respondent/Entity/Treasurer
FAX (202) 219-3923

MUR # 6630

NAME OF COUNSEL: David L. O'Mara

FIRM: O'Mara Law Firm, PC

ADDRESS: P.O. Box 2270

Reno, NV 89505

TELEPHONE- OFFICE (775) 323-1321

FAX (775) 323-4082

The above-named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

9/20/12
Date

[Signature]
Respondent/Agent - Signature

TREASURER
Title (Treasurer/Candidate/Owner)

NAMED RESPONDENT: Washoe County Republican Party

MAILING ADDRESS: P.O. Box 1886
(Please Print)

Reno, NV 89505

TELEPHONE- HOME _____

BUSINESS (775) 627-1900

Information is being sought as part of an investigation being conducted by the Federal Election Commission and the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) apply. This section prohibits making public any investigation conducted by the Federal Election Commission without the express written consent of the person under investigation.

Rev. 2010

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